

**U.S. COMMODITY FUTURES TRADING COMMISSION**

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Division of
Enforcement

September 24, 2020

LETTER MOTION
BY ECF AND ELECTRONIC EMAIL

Hon. Katherine Polk Failla
United States District Judge
United States District Court
Southern District of New York
40 Foley Square, Room 2103
New York, NY 10007
Failla_NYSDChambers@nysd.uscourts.gov

MEMO ENDORSED

RE: Commodity Futures Trading Commission v. Casper Mikkelsen a/k/a “Carsten Nielsen,” a/k/a “Brian Thomson,” a/k/a “Thomas Jensen” and a/k/a “Casper Muller,” Defendant, Civil Action 1:20-cv-03833, Hon. Katherine Polk Failla

Honorable Judge Failla,

I am a trial attorney at the Division of Enforcement of the United States Commodity Futures Trading Commission and I am an attorney of record in the above-referenced case. On September 4, 2020, Plaintiff filed a Letter Motion requesting adjournment or cancellation of the pretrial conference currently scheduled for September 30, 2020 at 11:30 a.m. *See* ECF No. 24. On September 8, 2020, the Court denied Plaintiff’s Motion without prejudice to its renewal at a date closer to the pretrial conference in order to provide Defendant with a final opportunity to enter an appearance or provide an explanation for the tardy response. *See* ECF No. 25 (September 8 Order).

Defendant has failed to answer, plead, move, enter an appearance, or provide an explanation to this Court for his lack of response to Plaintiff’s Complaint. In accordance with the Court’s September 8 Order, Plaintiff requests that the Court adjourn or cancel the September 30, 2020 pretrial conference so that Plaintiff may seek a Certificate of Default from the Clerk’s Office and file an Order to Show Cause for a default judgment and supporting papers.

Respectfully Submitted,

/s/ Xavier Romeu-Matta
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September 24, 2020

Page 2

Cc: Casper Mikkelsen/ Casper Muller w/ Copy of September 8 Order

Application GRANTED. The initial pretrial conference in this matter currently scheduled for September 30, 2020 is hereby ADJOURNED *sine die*. Plaintiff is directed to ensure Defendant receives a copy of this Order.

Dated: September 24, 2020
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE